

**JUNE 8, 2004**

**CITY OF GUNNISON COUNCIL  
REGULAR SESSION MINUTES**

**7:00 P.M.**

Following a Work Session meeting, the Regular Session was called to order at 7:00 P.M., by Mayor Ferguson with Councilmembers Simillion, Stone, Smits and Duba present along with City Attorney Landwehr, City Manager Collins, City Clerk Davidson, Finance Director Hanson, Electric Superintendent Bradford, Interim City Planner Sowell, Planning Technician Antonucci, many interested citizens and the press.

Mayor Ferguson asked Council to add an agenda item under Ordinance and Resolutions: "Item D. Ordinance No. 5, Series 2004, Re: Vacation of a Portion of Virginia Avenue and a North-South Alley, Both Located in the Meldrum Subdivision." Council agreed to the addition.

**Consent Agenda:**

Mayor Ferguson explained the Consent Agenda is a group of items, which Council has already reviewed, to be acted on with a single motion or vote. The Mayor asked if any citizen or Councilmember wished to have any specific item removed and discussed individually. There was no such request. The Consent Agenda items are:

**Regular Session Minutes of May 25, 2004.**

**Approval & Award of Challenge Grant Application from Find Yourself GPS/GIS Workshop in the Amount of \$850 and Authorize the Mayor's Signature.**

**Approval and Award Challenge Grant Application from Gunnison Country's Western Heritage Days in the Amount of \$3,000 and Authorize the Mayor's Signature.**

Councilmember Stone moved and Councilmember Simillion seconded the motion to approve the Consent Agenda as submitted.

Roll call vote, yes: Simillion, Stone, Ferguson, Smits, Duba. So carried.

Roll call vote, no: None.

**Pre-Scheduled Citizens:**

**The DOW Big Game 5 Year Season Structure – Steve Guerrieri.** Mr. Guerrieri was joined by John Nelson and Brad Phelps. Mr. Guerrieri informed Council they are asking the Colorado Department of Wildlife (DOW) to consider limiting the number of animal hunting licenses issued in the hunting units of the Gunnison Valley. Licenses would no longer be available for sale "over the counter". The DOW is conducting their "Big Game 5-year Season Structure" review. They are accepting comments and recommendations on how local game areas should be managed. The group stated they felt limiting the hunt in the area would be a huge boost for the local economy. This would produce a better hunting experience and a limited unit hunt would result in a higher animal harvest. Councilmember Stone asked if this group was asking for a letter of support. Mr. Guerrieri stated no, part of the process is the notification of local stakeholders, such as the local governmental entities, and that is what they are doing. The City could comment directly to the DOW in July when the DOW will be conducting a public meeting. Mr. Nelson stated they will also be meeting with the County Commissioners, and the Mt. Crested Butte and Crested Butte Town Councils. Council thanked the group for their update.

**Unfinished Business:**

**Challenge Grant Application from Colorado Water Officials Association for Fall Conference in the Amount of \$500.** Finance Director Hanson reviewed the request that was discussed at last week's Work Session. She stated that Bonnie Irby, representing the applicants, was present. Director Hanson stated the Challenge Grant Committee's recommendation was for denial of the application. However, the City Water Department has proposed providing \$500 in scholarships (entry fees) for locals to attend the workshop.

Councilmember Duba moved and Councilmember Stone seconded the motion to accept the Challenge Grant Committee's recommendation to deny the Challenge Grant application from the Colorado Water Officials Association for their Fall Conference in the amount of \$500, but to approve the Water Department's proposal to provide \$500 in scholarship entry fees for local participants.

Roll call vote, yes: Stone, Ferguson, Smits, Duba, Simillion. So carried.  
Roll call vote, no: None.

Councilmember Smits thanked Staff and the Water Department for coming up with an alternate solution.

**New Business:**

**Appointment for Planning & Zoning Commission Vacancy with a Term to Expire May, 2009.** Interviews of the three applicants were conducted in the Work Session prior to the Regular Session meeting.

Councilmember Smits moved and Councilmember Simillion seconded the motion to appoint Kurt Schram to the vacancy on the Planning and Zoning Commission with a five year term to expire in May, 2009.

Councilmember Stone thanked all three applicants for applying for the position and for their willingness to serve. Mayor Ferguson echoed this statement.

Roll call vote, yes: Ferguson, Smits, Duba, Simillion, Stone. So carried.  
Roll call vote, no: None.

Council welcomed Mr. Schram to the Planning Commission and thanked him.

**Action on Mountain States Employers Council (MSEC) Proposed Pay/Compensation Plan Review.** This item was discussed at last week's Work Session. City Manager Collins stated the recommended action is to accept the proposal from Mountain State's Employers Council for integrated consulting services with an anticipated cost ranging from \$12,700 to \$19,000.

Councilmember Smits moved and Councilmember Simillion seconded the motion to accept the integrated consulting services proposal from Mountain States Employers Council for a comprehensive review of the City's compensation and benefits with a cost not to exceed \$19,000.

Roll call vote, yes: Smits, Duba, Simillion, Stone, Ferguson. So carried.  
Roll call vote, no: None.

**Vacation Application VF-04-002 from Christopher Schodort and Tracy Rutherford for Vacation of a 15 foot East-West Alley, Block 32, West Gunnison Amended – Approval & Motion to Direct the City Attorney to Prepare Ordinance.** This item was discussed in the Work Session prior to this Regular Session meeting.

Councilmember Duba moved and Councilmember Simillion seconded the motion to accept the recommendation from the Planning and Zoning Commission to approve the vacation of the 15' wide East-West alley in Block 32, adjacent to Lots 1-5, inclusive and a 5' vacated portion of 7<sup>th</sup> Street on the north abutting Lot 6 and a 5' vacated portion of 7<sup>th</sup> Street on the south, in West Gunnison Amended, City of Gunnison, with the Planning Commission recommendation to include a 20' wide utility easement subject to acceptance by the City Engineer and Public Works Department, and to authorize the City Attorney to prepare the required vacation ordinance.

Discussion ensued on the reservation of a 20' wide easement when the alley to be vacated was 15' wide. City Manager Collins explained that the Public Works Department would prefer a 20' wide easement in the event they had to perform utility work within the alley.

Roll call vote, yes: Duba, Simillion, Stone, Ferguson, Smits. So carried.  
Roll call vote, no: None.

**Action on Meldrum Subdivision Final Plat – Approval & Motion for Mayor to Sign Subdivision Plat.** This item was discussed in the Work Session prior to the Regular Session meeting.

Councilmember Smits moved and Councilmember Duba seconded the motion to approve the Final Plat of the Meldrum Subdivision with the condition as listed in the memo that the Subdivision Improvement Agreement be executed concurrently with the final plat.

City Attorney Landwehr stated the Mayor will sign the plat after the 2<sup>nd</sup> reading and final adoption of the Vacation ordinance at which time the dedicator and their counsel will sign the final plat as well. The first and second of the motion agreed to amended their motion to include this provision.

Roll call vote, yes: Simillion, Stone, Ferguson, Smits, Duba. So carried.

Roll call vote, no: None.

Mayor Ferguson and the Council thanked the Meldrums and wished them luck on their project.

### **Ordinance and Resolutions:**

**Ordinance No. 6, Series 2004, Re: Lease/Purchase of Tandem Dump Truck and Wastewater Treatment Plant Generator; 1<sup>st</sup> Reading.**

Councilmember Simillion introduced Ordinance No. 6, Series 2004, and it was read by title only by the City Attorney.

Councilmember Simillion moved and Councilmember Stone seconded the motion that Ordinance No. 6, Series 2004, **AN ORDINANCE ADOPTING AN ADDITIONAL APPROPRIATION FOR THE FISCAL YEAR ENDING DECEMBER 31, 2004**, be introduced, read, passed and ordered published on first reading this 8<sup>th</sup> day of June, 2004.

Roll call vote, yes: Stone, Ferguson, Smits, Duba, Simillion. So carried.

Roll call vote, no: None.

**Ordinance No. 7, Series 2004, Re: Wind Power Rates Text Amendment to City Utility Code; 1<sup>st</sup> Reading.**

Councilmember Stone introduced Ordinance No. 7, Series 2004, and it was read by title only by the City Attorney.

Councilmember Stone moved and Councilmember Simillion seconded the motion that Ordinance No. 7, Series 2004, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON ADDING A WIND POWER ATTRIBUTES RATE TO THE ELECTRICAL RATES OF SECTION 12-4-2, RATE TABLES, OF THE CITY CODE OF THE CITY OF GUNNISON**, be introduced, read, passed and ordered published on first reading this 8<sup>th</sup> day of June, 2004.

Councilmember Stone reminded citizens in the audience and at home watching on cable that the program to purchase wind-generated green power is strictly voluntary and provides the City's customers with an option.

Councilmember Duba stated this is a great opportunity for people who want to purchase green power and thanked Electric Supervisor Bradford, Public Works Director Coleman and the Electric crew for all of their work on this process.

Roll call vote, yes: Ferguson, Smits, Duba, Simillion, Stone. So carried.

Roll call vote, no: None.

**Ordinance No. 8, Series 2004, Re: Contractor Certification for Installation of Water/Sewer Service Lines; 1<sup>st</sup> Reading.**

Councilmember Smits introduced Ordinance No. 8, Series 2004, and it was read by title only by the City Attorney.

Councilmember Duba moved and Councilmember Smits seconded the motion that **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON ESTABLISHING A CONTRACTOR CERTIFICATION PROGRAM THROUGH THE CITY'S DEPARTMENT OF PUBLIC WORKS TO CERTIFY INDIVIDUALS TO INSTALL WATER AND SEWER SERVICE LINES AND AMENDING SECTION 12-1-4(A) (4) AND SECTION 12-2-4(a) (3) OF THE CITY CODE OF THE CITY OF GUNNISON TO ALLOW CERTIFIED INDIVIDUALS TO INSTALL WATER AND SEWER SERVICE LINES**, be introduced, read, passed and ordered published on first reading this 8<sup>th</sup> day of June, 2004.

Roll call vote, yes: Smits, Duba, Simillion, Stone, Ferguson. So carried.  
Roll call vote, no: None.

**Ordinance No. 5, Series 2004, Re: Vacation of a Portion of Virginia Avenue and a North-South Alley, Both Located in the Meldrum Subdivision; 1<sup>st</sup> Reading.**

Councilmember Smits introduced Ordinance No. 5, Series 2004, and it was read by title only by the City Attorney.

Councilmember Smits moved and Councilmember Simillion seconded the motion that Ordinance No. 5, Series 2004, **AN ORDINANCE VACATING THE EXTENSION OF VIRGINIA AVENUE AND A NORTH-SOUTH ALLEY, BOTH LOCATED IN AN UNPLATTED AREA OF THE CITY OF GUNNISON, EAST OF ADAMS STREET AND NORTH OF TOMICHI AVENUE**, be introduced, read, passed and ordered published on first reading this 8<sup>th</sup> day of June, 2004.

Roll call vote, yes: Duba, Simillion, Stone, Ferguson, Smits. So carried.  
Roll call vote, no: None.

**City Attorney:** Nothing further to report.

**City Manager: Mark Collins:** 1. Informed Council he had received notification from the Colorado Municipal League that the Youth City Council Program was a finalist in this year's Citizen Awareness Program competition. The Program was not an award winner but will be mentioned at the CML Annual meeting in Steamboat Springs in late June. City Manager Collins commended Y.C.C. Advisor Davidson and the students participating in this great program. 2. He then acknowledged the accomplishment of Public Works Director Ken Coleman on receiving his Masters of Public Administration Degree from the University of Colorado. The City has supported Ken's efforts in this program and he is to be commended. 3. The Main Street Forum on parking, traffic flow, pedestrian safety and placement of the City's annual Christmas Tree will take place this Thursday evening at 5:30 P.M. at the Aspinall-Wilson Center. The County's public input meeting on the potential paving of Cottonwood Pass will take place that same evening at 7:00 P.M. at the Gunnison Community School. 4. Council should have received Staff's monthly reports last week and if they have any questions, please feel free to call.

**Acting City Manager/City Clerk: City Clerk Davidson.** Informed Council there was only one item for next week's Work Session agenda. That item is not time sensitive and can be discussed at a Work Session prior to the Regular Session on June 22, if that is Council's wish. Council consensus was to cancel the Work Session on June 15. The City Clerk then thanked Council for their on-going support for staff training, education and networking. She attended the International Clerk's Conference in late May and found it to be a very worthwhile experience.

**Non-Scheduled Citizens:** None.

**General Discussion/Items for Work Session:**

**Mayor Ferguson: Report on Mayors'/Managers' Meeting.** Mayor Ferguson reported Gunnison County hosted the Mayors/Managers' Meeting last week at Pappy's Restaurant. The new Superintendent of Curecanti National Recreation Area, Bill Wellman, and the new Gunnison Valley Hospital Director, Judy Spinella, were present at the meeting. City Manager Collins also reported on the meeting. Mt. Crested Butte is still reporting poor sales tax receipts. March and April returns were down and skier days were down approximately 3%. New School Board President Anne Hausler was present and reported there will be approximately a \$62,000 budget shortfall. The County reported the airport improvements are on schedule and going well.

**Councilmember Simillion:** Asked about the Parks & Recreation monthly report. He wanted to know why the Community Center cost estimates are being redone. City Manager Collins stated that both Contractor FCI and architect Sink Combs decided that product prices have changed enough that new cost estimate figures needed to be done. The Community Center Committee meets this Friday and the cost estimates should be more finalized by the beginning of next week. Once the costs are finalized the final bids should go out 10 to 12 days after that. The cost estimates will not effect the square footage or the buildings proposed functions. Councilmember Simillion asked if the steel building has been ordered. The City Manger stated the building is on order in Last Lake City. The cost of the building hasn't been locked in at this time. That will take place the first week of August.

**Councilmember Smits:** Asked if the sale of the Parks & Recreation building is complete. The City Manager stated yes. Councilmember Smits asked if the rising fuel cost is affecting the City budget. Finance Director Hanson informed Council a 5% increase was budgeted for fuel costs. The Police Department is conducting more foot and bike patrols as well. We should be able to remain within budget.

**Mayor Pro Tem Stone:** Informed Council the next RTA meeting is this Friday, June 11<sup>th</sup> at 8:00 A.M. He will be unable to attend. Mayor Ferguson stated he will attend and will be asking that RTA meeting scheduling be added to their agenda. The existing meeting time is not convenient to working elected officials.

**Councilmember Duba:** Asked the City Manager if there will be a weekly Community Center update in the newspaper. The City Manager stated the update will be done every other week. This will allow the Committee to provide timely information for the public. Councilmember Duba asked when the final cost figures will be available. Manager Collins stated they should be ready the beginning of next week, after this Friday's meeting. Bid requests can go out once the final cost figures are determined. Foundation work should begin the week after the Fourth of July. The contractor is still hoping for a Memorial Day, 2005, completion date. Councilmember Duba then asked Council's indulgence to miss the Regular Session meeting on June 22. He has a conflicting work obligation.

**Adjournment:** The meeting adjourned at 8:08 P.M.

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Mayor

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City Clerk